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7 Attorneys for Plaintiff
VERIGY US, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 | VERIGY US, INC, a Delaware Corporation

Case No. C07 04330 RMW (HRL)

13 Plaintiff,

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

14 || VS.

15 ROMI OMAR MAYDER, an individual;
16 WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
17 and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Judge: Honorable Howard R. Lloyd
Ctrm: 2

Defendants.

I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. (“Verigy” or “Plaintiff”) in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Documents Under Seal.

9 3. I have reviewed the following materials (“the Materials”): Exhibits B through H
10 and Exhibit N of the Declaration of Melinda M. Morton in Support of Verigys Motion for
11 Protective Order Re Requests for Admission Propounded by Defendants.

12 4. I have determined that these Materials (hereafter “the Materials”) disclose
13 information that has been designated as “Confidential” or “Highly Confidential – Attorneys Eyes
14 Only” by the parties under the protective order, without objection to those designations (although
15 Verigty reserves its rights to challenge such designations pursuant to the Stipulated Protective
16 Order). The Materials are especially sensitive because they contain references to Verigty’s trade
17 secrets and trade secret designations.

18 5. The confidentiality interest of the parties therefore overcomes the right of public
19 access to the record, as a substantial probability exists that the parties' overriding confidentiality
20 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
21 tailored and no less restrictive means exist to achieve this overriding interest.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct and that this declaration was executed this 13th day of May, 2008 at
24 San Jose, California.

/s/
Melinda M. Morton